

REMARKS

By this response, Applicant has added a new claim 27. As a result, claims 1-27 are pending in this application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, the Office objects to the disclosure because the numeral “170a” is used to designate “three enclosed roll holders” (page 18, line 6) and the “outer storage half basket” (page 24, Paragraph [0094], line 1). Applicant thanks the Examiner for his careful consideration of Applicant’s specification. In response, Applicant has herein amended the specification at Paragraph [0094] to correct the reference to “outer storage half-basket 160a.” This amendment is supported by consistent use of numeral 160a to refer to the “half basket” in the specification at, *inter alia*, paragraphs 0091, 0112; and FIGS. 1 and 2. Accordingly, Applicant respectfully requests that the objection to the specification be withdrawn.

In the Office Action, the Examiner indicates that claims 1-8 and 18-26 are allowable and that claims 10-14 and 17 would be allowable if rewritten in independent form. Applicant appreciates the indication of allowable subject matter.

However, the Office rejects claim 9 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,422,503 (Hoo Kong) in view of U.S. Patent No. 5,305,937 (Barnett). Initially, Applicant thanks the Examiner for his time and the courtesy extended to Applicant’s representative during a telephone interview conducted on or about 24 May 2006. As discussed during this interview, Applicant respectfully submits that Hoo Kong is not a valid reference under 35 U.S.C. § 103(a). In particular, the present application comprises a continuation-in-part application that claims priority under 35 U.S.C. § 120 to a parent application U.S. Utility Patent Application No. 10/082,895, which in turn claims priority under 35 U.S.C. §

119(e) to Provisional Application No. 60/277,088, which was filed on 19 March 2001. The filing date of the Hoo Kong reference is 29 May 2001. During the interview, the Examiner agreed that the Hoo Kong reference does not predate the filing date of the provisional application.

As also discussed in the telephone interview, Applicant respectfully submits that all of the claimed subject matter of claim 9 was disclosed in the parent application and the provisional application. For example, U.S. Utility Patent Application No. 10/082,895 discloses the claimed stand for dispensing a paper product (see, e.g., Fig. 2, Paragraph [0024]) comprising: a hollow elongate housing configured to be disposed in an upright position (see, e.g., Fig. 2, Paragraph [0027a]) wherein the elongate housing includes: a first end configured to be a top surface when the elongate housing is disposed in the upright position (see, e.g., Fig. 2); a second end disposed opposite the first end (see, e.g., Fig. 2); a first elongate aperture disposed proximate the first end, wherein the first elongate aperture is configured to dispense the paper product in a vertical direction (see, e.g., Fig. 2, Paragraph [0027b]); and a web tear plate (see, e.g., Fig. 5, Paragraph [0027b]) attached proximate to the first elongate aperture, wherein the web tear plate assists in tearing and holding the dispensed paper product (see, e.g., Paragraph [0032]). These figures and similar text also are found in Provisional Application No. 60/277,088. As a result, claim 9 should properly be accorded a priority date of 19 March 2001. Accordingly, Applicant respectfully requests withdrawal of the rejection with respect to claim 9.

Further, the Office rejects claim 15 under U.S.C. § 103(a) as allegedly being unpatentable over Hoo Kong in view of Barnett as above and further in view of Harris (U.S. Patent No. 4,124,259); and the Office rejects claim 16 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hoo Kong in view of Barnett and Harris as above and further in view of Danzi

(U.S. Patent No. 5,301,888). With respect to claims 15 and 16, as also discussed in the telephone interview, Applicant respectfully submits that all of the claimed subject matter of claims 15 and 16 was disclosed in the parent application and the provisional application. For example, the parent U.S. Utility Patent Application No. 10/082,895 discloses the claimed mini-table top configured to removably cover the top surface (see, e.g., Figs. 2, 6, 8, 29, and 31; Paragraphs [0025], [0043]), and the claimed open roll holder assembly mounted to the mini-table top that is configured to dispense another paper product on the mini-table top (see, e.g., Figs. 2 and 9, Paragraph [0030]). These figures and similar text also are found in Provisional Application No. 60/277,088. As a result, claims 15 and 16 also should properly be accorded a priority date of 19 March 2001. Accordingly, Applicant respectfully requests withdrawal of the rejections with respect to claims 15 and 16.

Applicant respectfully submits that the new claim 27 is allowable as presented. In particular, claim 27 includes all of the features of claim 1, with the exception of the brake washer. Accordingly, Applicant respectfully requests allowance of claim 27.

Applicant respectfully submits that the Application as presented is in condition for allowance. Should the Examiner believe that anything further is necessary in order to place the application in better condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,



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